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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,858	06/29/2001	Masayuki Nakagawa	16869S-027800US	5856

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EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/895,858

Applicant(s)

NAKAGAWA ET AL.

Examiner

Nga B. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is the answer to the communication filed on June 29, 2001, which paper has been placed of record in the file.
2. Claims 1-11 are pending in this application.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Watson et al, (hereinafter Watson), U.S. Patent No. 6,226,624.

Regarding to claim 1, Watson discloses a settlement system connected to user terminals for settling a transaction made between users, comprising;

storage means for storing user identification information for identifying each user, data representative of each of securities possessed by each user, and a coefficient for calculating a value of each of the securities, respectively in correspondence with each other (column 10, lines 30-37, the authorizing agent 212 stores the pre-authorization transaction parameters in a pre-authorization table; column

9, line 60-column 10, line 15, pre-authorization request includes an account number for which pre-authorization transaction parameters apply);

reception means for receiving settlement request information from a user terminal of a debtor of a transaction, the settlement request information including the user identification information of the debtor of the transaction, the user identification information of a creditor of the transaction, and payment money amount information representative of a money amount to be paid from the debtor to the creditor (column 10, line 65-column 11, line 14, authorizing agent 212 receives an authorization request includes account number, transaction amount, the merchant's MID for performing the authorization process); and

settlement means for deriving securities data of the debtor from the securities data stored in said storage means, in accordance with the user identification information of the debtor contained in the settlement request information, for selecting each of the securities data in accordance with the derived securities data, the coefficient corresponding to the derived securities data, and the money amount to be paid, and for storing the selected securities data in correspondence with the user identification information of the creditor (column 11, lines 15-50, authorizing agent 12 issues a settlement request to card issuer).

Regarding to claim 2, Watson further discloses a judging unit for comparing charge data received from the user terminal of the creditor with the settlement request data, and if the comparison result indicates a coincidence, deriving the securities data of the creditor from said storage means (column 11, lines 50-65 and column 13, lines 1-45,

authorizing agent 212 performs verification process by comparing the parameters of a requested transaction with authorization limitations placed upon transaction).

Regarding to claim 3, Watson further discloses a particulars generator unit for generating settlement particulars data in accordance with a result of settlement by said settlement means (column 11, lines 40-50).

Regarding to claim 4, Watson further discloses wherein the coefficient for calculating the value is a reduction rate for calculating a current value of a denomination of each of the securities (column 13, lines 22-37).

Regarding to claim 5, Watson further discloses wherein a current value of a total denomination of the securities selected by said settlement means is equal to the money amount to be paid (column 13, lines 47-60).

Claim 6 contains similar limitations found in claim 1 above, therefore, is rejected by the same rationale.

Claims 7-11 contain similar limitations found in claims 1-5 above, therefore, are rejected by the same rationale.

### ***Conclusion***

5. Claims **1-11** are rejected.
6. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Fleischl et al (US 6,038,552) disclose method and apparatus to process combined credit and debit card transactions.

Kravitz (US 6,029,150) discloses a method of payment in an electronic payment system wherein a plurality of customers have accounts with an agent. A customer obtains an authenticated quote from a specific merchant, the quote including a specification of goods and a payment amount for those goods.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

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Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Nga Nguyen'.

NGA NGUYEN  
PRIMARY EXAMINER

March 15, 2006